

### **Remarks/Arguments**

Claims 1-5 are pending in this application, and are rejected in the final Office Action of February 6, 2007. Claims 1-5 are amended herein to more particularly point out and distinctly claim the subject matter that Applicants regard as their invention. These amendments are deemed to place this application in even better condition for allowance, or at a minimum, place the claims in better form for consideration on appeal. Accordingly, Applicants respectfully request entry of the accompanying amendments.

### **Re: Objection to Claims 1-5 for Informalities**

Claims 1-5 are objected to because of various cited informalities. First, the Examiner alleges that the terms "1L/1G", "TE", "TECL", "PPTE" and "TO" are not defined clearly in the claims. In response, Applicants note that these terms were previously deleted from the claims in the Preliminary Amendment dated December 6, 2004. Secondly, the Examiner alleges that the term "formation" in claim 1 is unclear. In response, Applicants note that claim 1 is amended herein to change the term "formation" to "generating". Thirdly, the Examiner alleges that the method of comparison in claim 1 is unclear. In response, Applicants note that claim 1 is amended herein to clarify the method of comparison. In particular, claim 1 is amended to recite "generating an offset value from a comparison of a value of the track error signal that occurs before the detected fundamental change in property of the track to a value of the track error signal that occurs after the detected fundamental change in property of the track." In view of the accompanying amendments and the foregoing remarks, Applicants believe that all claims are clear and respectfully request that the objection be withdrawn.

### **Re: Rejection of Claims 1, 2, 4 and 5 under 35 U.S.C. §102(b)**

Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,314,066 issued to Hong et al. (hereinafter "Hong"). Applicants respectfully traverse this rejection since Hong fails to teach or suggest all elements of the claimed invention.

Applicants first note that amended independent claims 1 and 5 recite:

“generating a track error signal;  
detecting an occurrence of a fundamental change in a property of the track;  
***generating an offset value from a comparison of a value of the track error signal that occurs before the detected fundamental change in property of the track to a value of the track error signal that occurs after the detected fundamental change in property of the track;***  
generating the track error signal, taking account of the offset value;  
and  
repeating the aforementioned steps.” (emphasis added; see claim 1), and

“a track control loop for generating a track error signal;  
a track property change detector for detecting a track property change and generating a signal in response to the detection; and  
***an offset value generator, which, in a manner dependent on the signal generated by the track property change detector, generates an offset value from a comparison of a value of the track error signal that occurs before the detection of the track property change to a value of the track error signal that occurs after the detection of the track property change and feeds said offset value to the track control loop.***” (emphasis added; see claim 5)

As indicated above, independent claims 1 and 5 recite a method and apparatus that generates an offset value from a comparison of a value of a track error signal that occurs before the detection of a track property change to a value of the track error signal that occurs after the detection of the track property change. Hong fails to teach or suggest, *inter alia*, this feature of the claimed invention.

In formulating the instant rejection, the Examiner alleges that column 2, lines 36-43 of Hong disclose the aforementioned feature of the claimed invention (see page 3 of the final Office Action dated February 6, 2007). Applicants respectfully disagree. In particular, Applicants note that column 2, lines 36-43 of Hong state:

“That is, even if the focusing and the tracking are right on the land track, if the focusing and the tracking are applied to the groove track as they are,

a defocusing and a detracking may occur, and, opposite to this, even if the focusing and the tracking are right in the groove track, if the focusing and the tracking are applied to the land track as they are, the defocusing and the detracking may occur due to a difference of depth between the land and the groove.”

Applicants note that the foregoing passage of Hong refers to optical-mechanical acts of focusing/defocusing and tracking/detracking. The passage fails to teach or suggest, *inter alia*, generating an offset value from a comparison of a value of a track error signal that occurs before the detection of a track property change to a value of the track error signal that occurs after the detection of the track property change, as claimed. Moreover, Hong nowhere teaches or suggests that an offset value is generated from a comparison of track error signal values from before and after a track property change, as claimed. Rather, Hong ostensibly teaches away from the claimed invention in that it teaches a completely different technique for handling tracking errors (see, for example, column 2, lines 44-54). In view of this clarification, Applicants respectfully request withdrawal of the rejection.

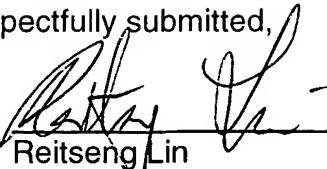
#### **Re: Rejection of Claim 3 under 35 U.S.C. §103(a)**

Claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Hong in view of U.S. Patent Publication No. 2002/0039331 by Park (hereinafter, “Park”). Applicants respectfully traverse this rejection since Park is unable to remedy the deficiencies of Hong pointed out above in conjunction with claims 1, 2, 4 and 5.

#### **Conclusion**

Having fully addressed the Examiner’s objections and rejections it is believed that, in view of the preceding amendments and remarks/arguments, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant’s attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,

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### CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

3-26-07  
Date

Karen Schleich